

REMARKS

On September 9, 2008, the Board of Patent Appeals and Interferences affirmed the Examiner's rejection of claims 1-9, 11-13, 15, 16, 18-20, 22-24, and 26-30. In the decision, the Board discussed Maxwell in detail. The Board made the following statement:

Appellants' reliance on the broad and unspecified "standard" in instant claim 1 does not persuade us of error in the Examiner's rejection. As the Examiner indicates (Ans. 11-12), Maxwell's template file constitutes a "standard" or "protocol extension" for all that claim 1 requires. The template file specifies the fields that may be used in populating the electronic form, and specifies the fields that may be retrieved from storage to populate the form.

The Board qualified its interpretation of Maxwell with the language "for all that claim 1 requires." Applicants have canceled the prior claims and present new claims 31 and 32 which distinguish over Maxwell and the other art of record, individually or in combination. Claim 31 distinguishes over Maxwell and the other art of record, individually or in combination, because claim 31 recites that the form is filled in automatically upon receipt of the form at the first user's computer. The form is filled in automatically because the processor causes the standard compliant form to extract the data from the standard complaint database. Thus, new claim 31 causes a form to be filled in with fewer steps than any of prior art references, individually or in combination. In regard to the steps eliminated by new claim 30, these steps of Maxwell were described by the Board as follows:

In the form population phase, Maxwell searches for a template file that resembles the form to be populated with data (FIG. 5). In particular, each form description in the template file is associated with a regular expression and list of controls. Each control has an index, a symbol, and a control type description. Maxwell col. 12, ll. 51-62. The symbol represents the data that is to be placed inside the fields of the form. The symbol may represent, for example, a name, date, or gender. Col. 12, l. 64-col. 13, l. 14. The form completion program utilizes the template file to identify the kind of data to insert into each of the form's data receptacles. For example, the template file allows the form completion program to determine which of the data receptacles contain personal information and which contain payment information. Once the form completion program identifies what kind of data to insert into each data receptacle, the program begins to input the appropriate data into the appropriate data receptacle. Col. 14. Ll. 29-41.

Claim 31 does not require a template file to identify the kind of data to insert into each of the form's data receptacles because in Claim 31 both the form and database are created to be compliant with each other. Indeed, new claim 31 fills in the form with fewer steps than Maxwell. New claim 31 uses fewer steps than Maxwell at least because it does not require "a template file that resembles the form to be populated with data" and each form does not have to be found in the template file and have a description associated with a regular expression and a list of controls. (See Decision, page 5, lines 5-10). Thus, in new claim 31 only receipt of the form is required in order to fill in the form. The processor invokes both the form and the database and the form extracts the necessary data. No other actions are required. Maxwell states that "[t]he present invention contemplates the use of multiple techniques to insert information into the data receptacles." Col. 14, ll. 43-44. However, Maxwell is silent as to the creation of a standard, standard compliant forms and a standard compliant database that cooperate together in the manner specified in new claims 31. In particular, Maxwell is silent as to the "responsive to" relationships specified in new claim 31. Thus, while the Board found that "Maxwell's template file constitutes a "standard" or "protocol extension" for all that claim 1 requires, new claim 31 specifies requirements that clarify the distinction over the art of record, individually or in combination.

Support for new claim 31 and new claim 32 is found in the specification and drawings.

establishing a standard by defining a plurality of fields in a protocol extension to be used for construction of a plurality of standard compliant forms and for construction of a standard compliant database;	Page 4, lines 6-12; page 5, lines 6-11.
responsive to defining the plurality of fields, constructing the plurality of standard compliant forms and the standard compliant database;	Page 4, lines 6-12; page 6, lines 15; page 7, line 6.
at a first computer, transmitting the standard complaint form to a second computer over a network;	FIG. 2; page 6, lines 15-16
at the second computer, responsive only to receipt of the standard compliant form, completing the standard compliant form;	FIG. 2; page 6, lines 16-17
wherein, upon receipt of the standard compliant form, a processor of the second computer invokes the standard compliant form and the standard compliant database and causes	FIG. 2; FIG. 3; page 4, lines 16-17; page 9, lines 8-16.

the standard compliant form to extract the plurality of data from the standard compliant database to fill in all fields in the standard complaint form.	
creating a set of rules for combining the standard complaint form with the standard complaint database by applying a first set of rules for default values, a second set of rules responsive to a flag included in the standard compliant form, and a third set of rules to make a decision when a conflict arises among one or more of the plurality of data.	Page 4, lines 13-16.

No new matter has been added by these amendments.

CONCLUSION

New claims 31 and 32 are in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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